

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

**06 CV 0701 (NG) (JMA)**

-----X  
**THE ANNUITY, PENSION, WELFARE and  
TRAINING FUNDS of the INTERNATIONAL  
UNION OF OPERATING ENGINEERS, LOCAL  
14-14B, AFL-CIO by its TRUSTEES EDWIN L.  
CHRISTIAN, CHRIS CONFREY, JOHN CRONIN,  
FRANK DiMENNA, ALFRED GEROSA, JOHN  
HYERS, DANIEL NOESGES and JOHN F.  
O'HARE; JOHN DOE; and JANE DOE,  
BENEFICIARIES of THE ANNUITY, PENSION,  
WELFARE and TRAINING FUNDS of the  
INTERNATIONAL UNION OF OPERATING  
ENGINEERS, LOCAL 14-14B, AFL-CIO,**

**Plaintiffs,**

**- against -**

**ORDER**

**A.J.S. TRUCKING & EXCAVATING CORP.,**

**Defendant.**

-----X

**GERSHON, United States District Judge:**

For administrative reasons, the order of this court dated July 7, 2006 is vacated insofar as it refers the matter to Magistrate Judge Azrack for report and recommendation. I will make a determination concerning the relief, if any, due plaintiffs based on the evidence they have submitted.

**SO ORDERED.**

**/S/**  
\_\_\_\_\_  
**NINA GERSHON**  
**United States District Judge**

Dated: Brooklyn, New York  
August 10, 2006